

**IN THE U.S. DISTRICT COURT FOR MARYLAND,
SOUTHERN DIVISION**

BEYOND SYSTEMS, INC.)
Plaintiff)
v.) Case No.PJM 08 cv 0921
WORLD AVENUE USA, LLC, et al.)
Defendants)

)

**DEFENDANT WORLD AVENUE USA, LLC'S REPLY MEMORANDUM IN SUPPORT
OF ITS MOTION TO COMPEL COMPLIANCE WITH COURT ORDER**

Defendant WORLD AVENUE USA, LLC (“WAUSA) hereby submits its Reply Memorandum in Support of its Motion to Enforce Order at DE 212 and for Sanctions [DE 232], and states that WAUSA opposes the opposition filed by BEYOND SYSTEMS, INC. (“BSI”) at DE 259 for reasons stated in WAUSA’s Motion to Dismiss for Fraud on the Court and Memorandum of Points and Authorities in Support of Motion to Dismiss for Fraud on the Court at DE 323 and 323-1.

Specifically, BSI still has not complied with the Court's Order by:

- Producing copies of the original subpoenas issued to non-parties;
- Although BSI represented it had produced all “documents” and “responses” on February 8th, BSI received a letter from Vonage on January 14, 2010 prior to its February 8 representation later filed with the Court that it had produced all “responses”, but it failed to provide it on either February 8th or in May. *See* Exhibit 22 to Memorandum of Law, attaching Chart;
- BSI received a letter from Dish Network on January 12, 2010, but failed to produce it on February 8th or at any time to date. *See* Exhibit 22 to Memorandum of Law;
- BSI received a letter from Blockbuster Online DVD on January 12, 2010, but failed to produce it on February 8th or at any time to date. *See* Exhibit 22 to Memorandum of Law;

- BSI received a letter from Intersections, Inc. on January 11, 2010, but failed to produce it on February 8th or at any time to date. *See Exhibit 22 to Memorandum of Law;*
- BSI received a letter from Citibank Mastercard on January 11, 2010, but failed to produce it on February 8th or at any time to date. *See Exhibit 22 to Memorandum of Law;*
- BSI received a letter on January 12 from AccountNow, but failed to produce it on February 8th or at any time to date. *See Exhibit 22 to Memorandum of Law;*
- BSI received a letter on January 11 from StyleMyHouse, but failed to produce it on February 8th or at any time to date. *See Exhibit 22 to Memorandum of Law;*
- BSI has never provided a copy of the letters informing non-parties that they need not comply with the subpoenas that were quashed by the Court.

Additionally, for the reasons set forth in the Memorandum of Points and Authorities, BSI has perpetrated a fraud upon the Court. *See DE 323-1.*

Dated: July 14, 2010

Respectfully submitted,

Attorneys for WORLD AVENUE USA, LLC

GREENBERG TRAURIG, LLP

/s/ John L. McManus

Sanford M. Saunders, Jr., Esq.

USDC, MD #4734

saundersss@gtlaw.com

Nicoleta Burlacu, Esq.

BurlacuN@gtlaw.com

Admitted Pro Hac Vice

GREENBERG TRAURIG, LLP

2101 L Street, NW, Suite 1000

Washington, DC 20037

Telephone: 202-331-3100

Facsimile: 202-331-3101

--and--

Kenneth Horky, Esq.

Florida Bar No. 691194

horkyk@gtlaw.com

John L. McManus, Esq.

Florida Bar No. 0119423

mcmansj@gtlaw.com

Admitted Pro Hac Vice

GREENBERG TRAURIG, P.A.

401 East Las Olas Boulevard, Suite 2000

Fort Lauderdale, FL 33301

Telephone: 954-765-0500

Facsimile: 954-765-1477